

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** July 2, 2007  
**POSITION:** Oppose

**BILL NUMBER:** SB 889  
**AUTHOR:** A. Maldonado

### **BILL SUMMARY:** Carpool Lane Education Pilot Program

This bill would, until January 1, 2011, require the Department of Motor Vehicles (DMV) in cooperation with the Department of Transportation (Caltrans) to establish the Carpool Education Pilot Program to educate the public on the proper use of high-occupancy vehicle (HOV) lanes and ramps.

### **FISCAL SUMMARY**

Caltrans estimates costs in the range of \$760,000 to \$970,000. This consists of \$500,000 to add signage to freeways, between \$210,000 and \$420,000 to add two to four staff, and \$50,000 to print the required educational brochure. Costs to DMV would be minor and absorbable because DMV and Caltrans handle the exchange of vehicle registration data electronically.

### **COMMENTS**

The Department of Finance opposes this bill because it would result in substantial costs for a program that may not effectively educate drivers or deter potential HOV lane violators. Additionally, there are traffic safety concerns because the attention of drivers attempting to record and report license plate numbers of HOV violators will be diverted from traffic.

Analyst/Principal (0744) R.Williams	Date	Program Budget Manager Mark Hill	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

<b>BILL ANALYSIS</b>	Form DF-43 (Rev 03/95 Buff)
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A. Maldonado

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SB 889

**ANALYSIS****A. Programmatic Analysis**

**Current law** authorizes the Department of Transportation (Caltrans) and local authorities to permit exclusive or preferential use of highway traffic lanes for high occupancy vehicles (HOV). Current law also allows other vehicles, such as single-occupant vehicles meeting specified fuel efficiency standards and displaying decals, to use HOV lanes under specified circumstances.

**This bill** would require, until January 1, 2011, Caltrans and the Department of Motor Vehicles (DMV) to work in cooperation to establish the Carpool Education Pilot Program. This program would establish a toll-free telephone number to report violators, post highway signs and publicize the toll-free telephone number and internet website address, and create an educational brochure containing information on guidelines for the use of highway lanes and highway ramps for HOVs.

**Discussion:** According to the author's office this bill is in response to solo drivers inappropriately using carpool lanes. This bill was modeled after Washington State's HOV System HERO program. The program encourages drivers to report HOV cheaters by phone or online. In 2004, the Washington State HERO education program received nearly 36,000 citizen reports of HOV violations, an increase of 13 percent over the previous year. Less than 3 percent of those reported in 2003 were reported a second time, and fewer than 2 percent were reported three or more times.

Caltrans reports that the overall state HOV violation rate is below 5 percent, among the lowest in the nation. Since HOV violation rates vary widely from one segment of the highway to another, annual surveys are conducted by Caltrans to identify HOV violations "hot spots." Caltrans provides "hot spot" information to CHP so that they may focus increased enforcement efforts in those particular areas.

The CHP expresses traffic safety concerns because the attention of drivers attempting to record and report license plate numbers of HOV violators will be diverted from traffic, which could cause traffic accidents. CHP does not believe the proposed law is effective as an educational tool or deterrent, and points out that driver handbooks covers proper use of carpool lanes, in addition to clear signage indicating penalties for misuse of carpool lanes. CHP indicates that its enforcement of carpool lanes, including "hot spot" enforcement done in cooperation with Caltrans, is a more meaningful deterrent. Additionally, CHP asserts there may be unintentional false reports, as single occupants in hybrid vehicles may use carpool lanes and children in the car are not always visible to other drivers.

Caltrans is concerned with the cost of the program, highway safety and whether this is an effective educational program.

**B. Fiscal Analysis**

Caltrans estimates costs in the range of \$760,000 to \$970,000. This consists of \$500,000 to add signage to freeways, between \$210,000 and \$420,000 to add two to four staff, and \$50,000 to print the required educational brochure. Costs to DMV would be minor and absorbable because DMV and Caltrans handle the exchange of vehicle registration data electronically.

**BILL NUMBER**

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		SO	(Fiscal Impact by Fiscal Year)							
Code/Department		LA	(Dollars in Thousands)							
Agency or Revenue		CO	PROP						Fund	
Type		RV	98	FC	2007-2008	FC	2008-2009	FC	2009-2010	Code
2660/Caltrans		SO	No	C	\$700 - 900	C	\$200 - 400	C	\$200 - 400	0042
<u>Fund Code</u>	<u>Title</u>									
0042	Highway Account, State, STF									